



**CITY OF BEVERLY HILLS
CITY COUNCIL SPECIAL MEETING
MINUTES
January 13, 2015**

The Special City Council meeting was held in the Council Chambers at 7:00 pm.

PLEDGE OF ALLEGIANCE led by Fred C. Cunningham

A. ROLL CALL

Present: Councilmember Krasne, Councilmember Mirisch, Councilmember Brien, Vice Mayor Gold, and Mayor Bosse

Absent: None

Mayor Bosse and Councilmember Mirisch read a statement from the City Council expressing sadness and shock at the Charlie Hebdo attack in Paris, and held a moment of silence in memory of the victims of the attack.

B. PRESENTATIONS

1. FIRST FRED C. CUNNINGHAM AWARD FOR DISTINGUISHED SERVICE Presented to Mr. Cunningham

Mayor Bosse spoke about the Fred C. Cunningham Award for Distinguished Service, named for Mr. Fred C. Cunningham, who worked with the City for a total of 50 years in various positions, but mostly as Executive Director of Public Affairs. The award will be given periodically to an employee who demonstrates outstanding dedication, character and skill. Mayor Bosse invited former Mayors Barry Brucker, Ed Brown, Donna Ellman, Jimmy Delshad, Linda Briskman, Chuck Aronberg, Mark Egerman, Bob Tanenbaum, Les Bronte, Vicki Reynolds, and Alan Alexander to the podium, and along with the entire City Council, presented Mr. Cunningham with the very first award proclamation and medallion. Former Mayor Bob Tanenbaum, who initiated the award, as well as former Mayors Chuck Aronberg, Vicki Reynolds and Jimmy Delshad spoke about their experiences working with Mr. Cunningham.

2. RECOGNITION OF RETIRING COMMISSIONERS

Health and Safety Commission

- Stacia Kopeikin

Mayor Bosse, along with the entire City Council, presented a plaque of recognition and gift to retiring Health and Safety Commissioner Stacia Kopeikin.

- Gail Millan

Mayor Bosse, along with the entire City Council, presented a plaque of recognition and gift to retiring Health and Safety Commissioner Gail Millan.

3. 60 SECOND BUSINESS SHOUT-OUT - Go Greek Yogurt

Mayor Bosse, along with the entire City Council, presented a 60-Second Business Shout-out to Go Greek Co-Founder and President Tanja Subotic, and Partners Jonathan Williams and David Subotic, and thanked Sue Brucker for nominating the business for a shout-out.

4. TEXT BH -Text messages on any City-related topic may be sent to 310-596-4265. City staff will acknowledge receipt of the text message within one business day, however, resolution of issues may take longer.

Vice Mayor Gold announced that text messages on any City-related topic may be sent to (310) 596-4265.

C. ORAL COMMUNICATIONS

1. TELEPHONE CALL-IN (310.285.1020) (Members of the public are invited to place telephone calls to comment on issues that do not appear on the evening's agenda. The City Council will take up to three telephone calls per meeting. Comments on the evening's agenda must be made in person as the item comes before the City Council.)

None

2. AUDIENCE COMMENTS. Any person wishing to address the City Council on any matter not on the agenda may do so at this time. However, the State open meetings law (Government Code Section 54950 et seq.) prohibits the City Council from providing a detailed response or acting upon any item not contained on the agenda posted 72 hours before a regular meeting and 24 hours before a special meeting. If you wish to address the City Council at this time, please complete a speaker's card and give it to the City Clerk prior to the commencement of the meeting. Please use the microphone provided, clearly stating your name for the official record and courteously limiting your remarks to three (3) minutes so others may have the opportunity to speak as well.

1. AJ Willmer

3. REPORT FROM THE CITY MANAGER

* Beverly Hills Older Adult Health and Safety Collaborative - James Latta, Human Services Administrator

Human Services Administrator James Latta provided a PowerPoint and oral report on the Beverly Hills Older Adult Health and Safety Collaborative, and showed a brief video of the collaborative meeting which was presided by Vice Mayor Gold.

* 5-Year Strategic Plan Summary - Special Assistant to the City Manager, National Urban Fellow

Special Assistant to the City Manager and National Urban Fellow Emma Osore provided a brief background on herself, and reported on the City's 5-Year (2011-2016) Strategic Plan.

4. CITY COUNCILMEMBER AND COMMITTEE REPORTS

None

D. CITY COUNCIL CONSENT CALENDAR

MOVED by Councilmember Krasne, seconded by Vice Mayor Gold, to remove Items D-3 and D-4 for discussion and separate vote, approve the remaining items on the City Council consent calendar, and direct that the appropriate account be charged on Item D-1

Minutes

None

Demands Paid

1. PAYROLL DISBURSEMENT REPORT, report dated January 13, 2015.

Other Business

ORDINANCE OF THE CITY OF BEVERLY HILLS:

2. AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING COMMISSIONS. First reading - For introduction Comment: This ordinance amends various sections of the City's Municipal Code to reflect updates to the Commission structure such as commission size, terms, charges, and absence policy.

ITEM D-2: INTRODUCED AND READ BY TITLE ONLY AS AMENDED; ADVANCE TO THE MEETING OF FEBRUARY 3, 2015 FOR ADOPTION

RESOLUTION:

3. APPROVING THE FINAL MAP FOR PARCEL MAP NO. 71711 (9221 WHITWORTH DRIVE) AND ACCEPTING, SUBJECT TO IMPROVEMENT, A RIGHT-OF-WAY DEDICATION. Comment: This is a request for City Council adoption of findings that Final Parcel Map No. 71711 conforms to the tentative map, all applicable requirements of the State Subdivision Map Act and the City's subdivision ordinance, and authorization to record the final map; and accepting, subject to improvement, an alley right-of-way dedication.

This item was discussed together with Item D-4. City Engineer Mark Cuneo and City Attorney Larry Wiener responded to Councilmember Mirisch's questions pertaining to the right of way dedication, difference between an easement and a dedication, and City possession of the property.

MOVED by Councilmember Brien, seconded by Councilmember Krasne to adopt Resolution D-3 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
APPROVING THE FINAL MAP FOR PARCEL MAP NO. 71711 (9221
WHITWORTH DRIVE) AND ACCEPTING, SUBJECT TO IMPROVEMENT,
A RIGHT-OF-WAY DEDICATION

Ayes: Councilmember Krasne, Councilmember Mirisch, Councilmember Brien, Vice Mayor Gold, and Mayor Bosse.

Noes: None.

CARRIED

ITEM D-3: ADOPTED RES# 15-R-13020

4. APPROVING THE FINAL MAP FOR PARCEL MAP NO. 68061 (208 SOUTH LASKY DRIVE) AND ACCEPTING, SUBJECT TO IMPROVEMENT, A RIGHT-OF-WAY DEDICATION. Comment: This is a request for City Council adoption of findings that Final Parcel Map No. 68021 conforms to the tentative map, all applicable requirements of the State Subdivision Map Act and the City's subdivision ordinance, and authorization to record the final map; and accepting, subject to improvement, an alley right-of-way dedication.

This item was discussed together with Item D-3.

MOVED by Councilmember Brien, seconded by Councilmember Krasne to adopt Resolution D-4 as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
APPROVING THE FINAL MAP FOR PARCEL MAP NO. 68061 (208
SOUTH LASKY DRIVE) AND ACCEPTING, SUBJECT TO IMPROVEMENT,
A RIGHT-OF-WAY DEDICATION

Ayes: Councilmember Krasne, Councilmember Mirisch, Councilmember Brien, Vice Mayor Gold, and Mayor Bosse.

Noes: None.

CARRIED

ITEM D-4: ADOPTED RES# 15-R-13021

APPROVAL OF:

5. AN AGREEMENT WITH CPM ONE SOURCE, INC. FOR FURNITURE MANAGEMENT, RECONFIGURATION AND PROCUREMENT SERVICES FOR COMMUNITY DEVELOPMENT FURNITURE; AND APPROVAL OF A PURCHASE ORDER IN THE NOT TO EXCEED AMOUNT OF \$78,752.20 TO CPM ONE SOURCE, INC. FOR THE PURCHASE AND SERVICES. Comment: Recommends the approval of the agreement for procurement of furniture and reconfiguration services of existing furniture for the Community Development Department in City Hall.

ITEM D-5: APPROVED; AG# 09-15

6. AN AGREEMENT WITH TETRA TECH, INC. FOR DESIGN ENGINEERING AND HYDROGEOLOGIC SERVICES ASSOCIATED WITH THE DEVELOPMENT OF WATER WELLS AT 342 FOOTHILL ROAD; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$133,615 TO TETRA TECH, INC. Comment: This agreement provides for the professional services required to permit and design shallow groundwater wells and deliver construction documents for bidding purposes.

ITEM D-6: APPROVED; AG# 10-15

7. AMENDMENT NO. 1 TO AN AGREEMENT WITH KAPLAN CHEN KAPLAN ARCHITECTS & PLANNERS FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES RELATED TO GREYSTONE MANSION ENTERTAINMENT WING INFRASTRUCTURE REHABILITATION PROJECT; AND APPROVAL OF A CHANGE PURCHASE ORDER IN THE AMOUNT OF \$56,240 FOR THESE SERVICES. Comment: Recommends the approval of the amendment to provide architectural and engineering design services, including preparation of construction plans and specifications for the rehabilitation of the entertainment wing including HVAC system, power and lighting, and disabled access. The total amount of the agreement in not to exceed \$106,220.

ITEM D-7: APPROVED; AG# 11-15

8. AMENDMENT NO. 2 TO AN AGREEMENT WITH GLADWELL GOVERNMENTAL SERVICES, INC. FOR CONSULTING SERVICES RELATED TO THE CITY'S ENGINEERING/PUBLIC WORKS RECORDS MANAGEMENT PROGRAM AND RELATED SERVICES; AND APPROPRIATION OF \$90,000 FROM THE GENERAL FUND; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$90,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$218,120. Comment: Amends the agreement to add \$90,000 for a total amount of \$218,120 for additional services to implement a records management program for permanent City infrastructure records.

ITEM D-8: APPROVED; AG# 12-15

9. REJECTION OF BIDS FOR CONTRACT WORK PERTAINING TO THE POLICE FACILITY OVERSIZED VEHICLE STORAGE PROJECT. Comment: Recommends that all bids be rejected due to a bid irregularity and protest, and to rebid the project for an award of contract in March.

ITEM D-9: APPROVED

Vote on the City Clerk Calendar:

Ayes: Councilmember Krasne, Councilmember Mirisch, Councilmember Brien,
Vice Mayor Gold, and Mayor Bosse.
Noes: None.

CARRIED

E. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

None

F. CONTINUED AND NEW BUSINESS

1. A. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING AN AMENDED AND RESTATED EXECUTIVE EMPLOYEE COMPENSATION PLAN FOR DEPARTMENT DIRECTORS, ASSISTANT DEPARTMENT DIRECTORS AND SENIOR MANAGEMENT EMPLOYEES. Comment: This resolution amends the Executive Employee Compensation Plan in several ways. Included among the amendments are a cost of living increase to the executive employee group, a shift of certain PERS costs from the City to employees, and a salary increase to offset that shift of costs.

City Manager Jeff Kolin provided an oral report explaining the details of the agreement, noting that new employees will be included in a second tier of reduced retirement benefits, a 6.25% member contribution, and will also receive an 8% salary offset. He also pointed out that the City Manager and City Clerk positions are affected by the PERS resolution, but are not included in the compensation agreement.

Mayor Bosse read a letter into the record from Thomas White, Chairman of the Municipal League of Beverly Hills.

City Manager Kolin responded to Council's questions pertaining to the City's budget and employees' PERS contributions. Councilmember Mirisch expressed his concern with the City paying the employee's PERS share and cited a potential conflict of interest with the negotiations with the groups. He asked for separate voting for Items F-1A and F-1B. Councilmember Brien clarified that Councilmembers direct City negotiators on what they want. He also responded to the letter read into the record regarding transparency of negotiations. Vice Mayor Gold commented that the item has been vetted by Council and expressed his support to move forward. Mayor Bosse agreed with Vice Mayor Gold that the item is an appropriate extension of the recognition given earlier in the evening to a

long-term employee with excellent service to the City, and indicated her support for the item.

MOVED by Councilmember Brien, seconded by Vice Mayor Gold to adopt Resolution F-1A as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING AN AMENDED AND RESTATED EXECUTIVE EMPLOYEE COMPENSATION PLAN FOR DEPARTMENT DIRECTORS, ASSISTANT DEPARTMENT DIRECTORS AND SENIOR MANAGEMENT EMPLOYEES

Ayes: Councilmember Krasne, Councilmember Brien, Vice Mayor Gold, and Mayor Bosse.

Noes: Councilmember Mirisch.

CARRIED

ITEM F-1A: ADOPTED; RES# 15-R-13022; APPROVED; COMP PLAN# CP-04-2015

- B. RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS TERMINATING THE PAYING AND REPORTING TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE EXECUTIVE EMPLOYEE GROUP. Comment: This resolution terminates the paying and reporting of the Employer Paid Member Contribution (EPMC) to the California Public Employees' Retirement System (CalPERS) for the Executive Employee Group, which includes Executive and Senior Management employees.

MOVED by Councilmember Brien, seconded by Vice Mayor Gold to adopt Resolution F-1B as follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS TERMINATING THE PAYING AND REPORTING TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE EXECUTIVE EMPLOYEE GROUP

Ayes: Councilmember Krasne, Councilmember Mirisch, Councilmember Brien, Vice Mayor Gold, and Mayor Bosse.

Noes: None.

CARRIED

ITEM F-1B: ADOPTED; RES# 15-R-13023

2. WATER ENTERPRISE PLAN STATUS REPORT Comment: Staff will review the plan development process to date and ask for feedback on current draft direction and plan proposal.

Assistant Director of Public Works Services/Infrastructure and Field Operations Trish Ray presented a PowerPoint and status report on the Water Enterprise Plan. She reviewed the plan intent, plan development timeline, water reliability alternatives, selection process, shortlisted alternatives, reliability policy, water demand projections, reliability levels and proposals for consideration, alternatives, preliminary cost projections, preliminary staffing requirements, and next steps.

Speaking:

1. AJ Willmer

Ms. Rhay and Psomas Vice President and Senior Project Manager Harvey Gobas, Vice President and Senior Project Manager Mike Swan, and Senior Hydrogeologist Michael Donovan answered Councilmembers' questions regarding water allocations to new projects/building/structures, water rights, wells and water independence, cost to anticipate potential future growth, timeline for the final recommendation, and water conservation and water rate structure. Council directed staff to come back with the final plan in April and recommended keeping up to date with options. Vice Mayor Gold requested clarification on the City's water composition as well as a treatment plant update. Mr. Willmer recommended looking closely at water banking.

ITEM F-2: NO ACTION TAKEN

3. DEVELOPMENT OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR THE DESIGN-BUILD PHASE OF THE PURPLE LINE SUBWAY EXTENSION PROJECT - SEGMENT 1. Comment: This report recommends that the City Council provide input and direction on the process to develop and negotiate a Memorandum of Agreement for the Design-Build Phase of Westside Subway Extension.

City Engineer Mark Cuneo presented a PowerPoint and oral report discussing the initiation and development of the new Memorandum of Agreement, and seeking Council input and direction on the undertaking. He reviewed the scope of work, project schedule, key considerations, and Metro request for extended hours and street closures. Metro Deputy Executive Officer for Project Management James Cohen presented a video animation showing the construction methods and phases that will be undertaken by Metro.

Speaking:

1. Alex Kay
2. Tim Buresh - representing the Saban Theater

Councilmember Krasne requested that Metro conduct an inspection of the properties in the area and ensure that the buildings will not be damaged, and the residents and businesses are protected. She recommended staff to look at protection, noise abatement, unintended consequences, and penalty for going over the four-year time period.

Councilmember Mirisch asked that the agreement be modeled after the Disney Hall agreement incorporating penalties and baselines. He also suggested including and focusing on damages attributed to settlement, hours of construction, business disruption and how to help businesses during the disruption.

Councilmember Brien suggested fine-tuning the agreement as it happens, and for staff to bring information back to Council for discussion based on the impacts.

Vice Mayor Gold proposed focusing on the following issues: mitigation, street closures, noticing requirements, change in language (may/shall), and incorporating lessons learned into the agreement.

Mayor Bosse suggested increasing public outreach, soliciting input from residents and businesses, and focusing on the following: day and weekend hours, noise mitigation, lane closures, traffic circulation, parking availability and accessibility, business mitigation, financial assistance, signage, 24-hour contact person, construction monitoring, and online availability of information on the project.

Councilmember Krasne suggested that the video animation be made available on the City's website. Vice Mayor Gold requested that City Attorney Larry Wiener send a report showing the progress and changes in the agreement as negotiations are made so that Councilmembers may provide their input. Mr. Cuneo responded to Mayor Bosse's question regarding the project timeline.

ITEM F-3: NO ACTION TAKEN

G. COMMISSION SYNOPSIS

1. PUBLIC WORKS COMMISSION - Regular Meeting of December 11, 2014
HEALTH AND SAFETY COMMISSION - Regular Meeting of December 15, 2014
RECREATION AND PARKS COMMISSION - Special Meeting of December 16, 2014

ITEM G-1: NO ACTION TAKEN

H. OTHER BUSINESS

None

I. ADJOURNMENT

Mayor Bosse thanked retiring City Manager Jeff Kolin for his service to the City.

There being no further business, Mayor Bosse, with the consent of the Council, adjourned the meeting at 10:33pm.

PASSED, Approved and Adopted
this 3rd day of February, 2015



BYRON POPE, City Clerk

LILI BOSSE, MAYOR

This meeting was broadcast on live television, on City of Beverly Hills municipal government television access Channel BHTV10 Time Warner Cable.